



The QR Code provides access to:

- The presentation slides,
- The ability to ask the presenter questions,
- Sign in as a PTA/PTO Representative, SEAC member or the public.
- SEAC Business Meeting materials

# SEAC Meeting

# October 7, 2020



**SEAC Meeting**

**October 7, 2020**





The **Special Education Advisory Committee (SEAC)** works alongside parents, students, educators, staff and the school board to identify needs, suggest improvements, and advance the interests of students receiving special education services in Loudoun County Public Schools (LCPS) to help ensure that students with disabilities have access to and receive an appropriate, individualized and inclusive public education.

The Role of SEAC



## THE ROLE OF SEAC AND VIRGINIA REGULATIONS

The Regulations Governing Special Education Programs for Children with Disabilities in Virginia reflect the state and federal requirements for the provision of special education and related services. The regulations mandate that an active SEAC exists, as well as specific functions of the SEAC, as specified by Section 8VAC20-81-230 D.2, which are as follows:

1. Advise the local school division of needs in the education of students with disabilities;
2. Participate in the development of priorities and strategies for meeting the identified needs of students with disabilities;
3. Submit periodic reports and recommendations regarding the education of students with disabilities to the division superintendent for transmission to the local school board;
4. Assist the local school division in interpreting plans to the community for meeting the special needs of students with disabilities for educational services;
5. Review the policies and procedures for the provision of special education and related services prior to submission to the local school board; and
6. Participate in the review of the local school division's annual plan.



## The Role of SEAC



## SEAC Leadership:

SEAC Chair

Sharon Tropf

[SEACChair@lcps.org](mailto:SEACChair@lcps.org)

SEAC Immediate Past Chair

Dr. Carol Williams-Nickelson

[SEACPastChair@lcps.org](mailto:SEACPastChair@lcps.org)

SEAC Vice Chair Planning

Shehnaz Khan

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SEAC Vice Chair Membership

Heidi Bunkua

[SEACViceChairMembership@lcps.org](mailto:SEACViceChairMembership@lcps.org)

SEAC Vice Chair Communications

Craig Metz

[SEACViceChairCommunications@lcps.org](mailto:SEACViceChairCommunications@lcps.org)

SEAC Secretary

Kathryn Rosenbrook

[SEACSecretary@lcps.org](mailto:SEACSecretary@lcps.org)

LCPS Staff Liaison

Dr. Patricia Nelson

[Patricia.d.Nelson@lcps.org](mailto:Patricia.d.Nelson@lcps.org)

School Board Liaison

Beth Barts

[Beth.Barts@lcps.org](mailto:Beth.Barts@lcps.org)

## Introduction of SEAC Officers and Liaisons



# Public Comment



## Public Comment Process

- SEAC uses public feedback to inform our work to advise School Board on special education needs
- **Focus on system-wide issues**, rather than individual concerns or specific situations (*please do not use student or staff names*)
- Verbal comment may be given. **Please complete and submit comment form tonight (please be sure to follow-up with SEAC Secretary with your written comment)**
- Written comment may be read by author or SEAC Chair
- Remarks limited to 3 minutes



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- June 10, 2020
- September 9, 2020

- SEAC Executive Committee Elections  
Nominating Committee
- SEAC Bylaws – In Progress

- Annual Report: Requested progress/status from the Department of Special Education on identified issues.





# SEAC Chair Report



## SEAC Current Work (cont.):

- SEAC – LCPS Webpage:
- Working with LCPS Staff to updated the page to have more information
- Easier Navigation

## Membership

- PTA/PTO Representatives and Member Training  
22 Schools with PTA/PTO Reps  
16 members

Membership application and SEAC bylaws are on the LCPS website on the SEAC page





# SEAC Chair Report



## SEAC Current Work (cont.):

### Communications:

Twitter @loudounseac

Facebook loudounseac

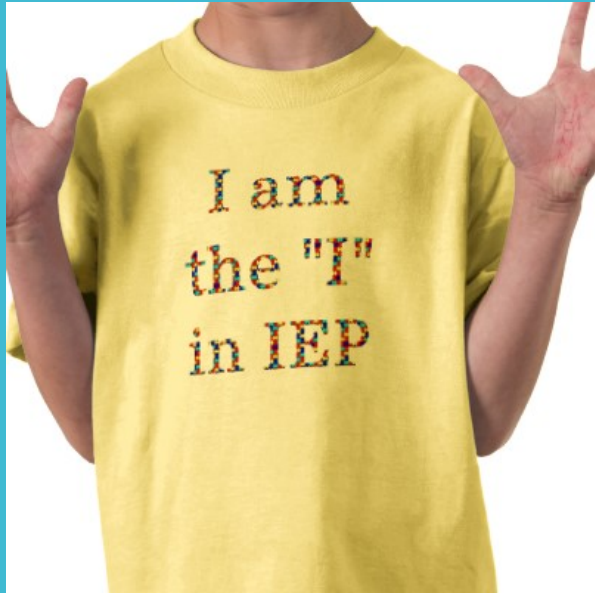
WWW [www.loudounseac.org](http://www.loudounseac.org)

### Increasing Awareness of SEAC:

- Working with Mr. Rob Doolittle, Director of Communications & Community Engagement to publish SEAC fliers via Peach Jar and utilize Social Media.



# SEAC Chair Report



## SEAC Current Work (cont.):

### SEAC Policy & Compliance Committee

#### Special Education Task Force Update

Identified four key areas of immediate SPED concern:

1. New needs based on recent past / regression
2. Current service delivery
3. Learning the technology / technology issues
4. Creating a continuum of educational / service options

Identified three key levels of concern with LCPS DL:

1. Improving accessibility of existing DL
2. Transforming and individualizing DL for access
3. Services for students who are unable to access DL

Efforts are currently focused on (1) and (3).



# SEAC Chair Report



## **SEAC Current Work (cont.):**

### **Subcommittee Formation**

- SEAC has 3 standing Committees
- Policy and Compliance
- Specialized Programs and Services
- Executive Functioning and Social-Emotional Learning

### **Executive Committee Meeting**

- October 28, 2020 at 6:30 p.m.

### **Equity Committee**

- First Thursday of the Month at 5:30 p.m.
- Craig Metz nomination has been submitted to the School Board

# **2020-2021 School Year SEAC MEETINGS:**

**November 4, 2020**

**Trauma and COVID-19**

Presented by Dr. Kelly Henderson,  
Executive Director, Formed Families Forward

**December 2, 2020**

**Transition Services for Developing Workplace and  
Independent Living Skills**

Presented by Marianne Moore, VDOE  
Partnered with DBVI and DARS





# How Does Parent Resource Services Support Families?

- Provides direct assistance to aid parents as they navigate the educational processes and array of resources.
- Provides workshops for families and educators on a variety of topics to enhance student wellness and learning.
- Supports families in being engaged partners with school staff.
- Connects families and educators to school personnel, web-based and community resources.
- [www.lcps.org/parentresourceservices](http://www.lcps.org/parentresourceservices)

# 2020-2021 Workshops

- Workshop formats will be a mix of livestream and prerecorded.
- **Transition Series for Students with IEPs**
  - Transition from ECSE to Kindergarten
  - Transition from Elementary to Middle School
  - Transition from Middle to High School
- **Special Education Series**
  - Diploma Options
  - Where Can I Find Resources to Help My Child Use Technology?
  - Social Emotional Competence
  - Executive Functioning
  - Prompts and Prompt Fading
  - Deeper Dive into “How To” Set Expectations
  - Deeper Dive into “How To” Reinforce

# 2020-2021 Workshops

- **Mental Health Series**
  - Anxiety/School Refusal
  - Substance Use and Prevention
  - Mental and Physical Health Connection
  - Restorative Family Practices
  - Social Emotional Learning
  - Sources of Strength



# How Do I Contact Parent Resource Services?

- Loudoun County Public School Administrative Building  
21000 Education Court, Ashburn, VA 20148
- 571-252-6540
- Leanne Kidwell – [Leanne.Kidwell@lcps.org](mailto:Leanne.Kidwell@lcps.org)
- Pam Spiering – [Pamala.Spiering@lcps.org](mailto:Pamala.Spiering@lcps.org)
- Like Us on Facebook: LCPS Parent Resource Services
- Follow Us on Twitter: [@LCPS\\_PRS](https://twitter.com/LCPS_PRS)

# Reports, Updates and Announcements

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## School Board Liaison, Beth Barts

- The School Board meets at 4:00 every second and fourth Tuesdays.
- The public can visit the School Board page on the LCPS website to see a listing of emails and phone numbers for their individual district representative along with the At-Large. The entire Board can be emailed at [lcsb@lcps.org](mailto:lcsb@lcps.org).

## Current Special Education Issues:

- LCPS started the school year with 900 MATA students in person in school once a week. This has been successful in allowing us to see what safety protocols work and how we can continue to transition to “in person” learning for all. We have only had one MATA student test positive. It has also set the stage for many of our special education students including early childhood and self-contained programs to return [October 13th](#) and some of our English Language Learners to return to school [on October 27th](#). Furthermore, the School Board unanimously voted to approve Stage 2 of the Superintendent's Hybrid Implementation Plan – Kindergarten through 2nd Grade will begin [on October 27th](#) for families who have selected the hybrid option.

# Reports, Updates and Announcements

A red rectangular stamp with a double border, containing the word "UPDATE" in bold, red, sans-serif capital letters.

## School Board Liaison, Beth Barts cont.

- I'm pleased to tell you that the School Board unanimously passed proclamations for Disability History and Awareness Month and National Hispanic Heritage Month during the month of September.
- The public information office is happy to provide outreach via Twitter, FB, Peachjar and Blackboard on SEAC activities. This was discussed in the last communications committee meeting. It was suggested a point of contact be established with the PIO.
- I personally reached out to principals in my district through my aide to ask for SEAC reps and so far pleased with the response.
- On October 13th we should have more information on the next steps in the Hybrid process.

# Reports, Updates and Announcements



## Office of Special Education

Dr. Patricia Nelson, Director of Special Education

## Department of Pupil Services

Dr. Asia Jones, Assistance Superintendent of Pupil Services



# Business



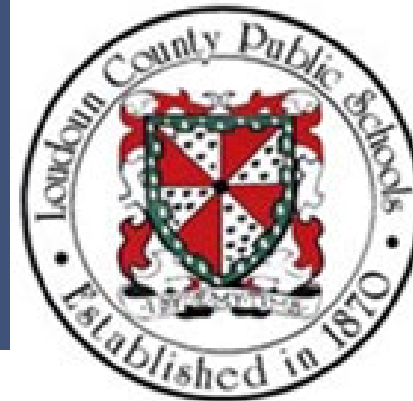
## **SEAC Policy & Compliance Committee** **Policy Review and Recommendations (Discussion/Action)**

- ☐ **Policy 5310, Special Education**
- ☐ **Policy 8030, Harassment and Discrimination of Students**
- ☐ **Policy 7560, Professional Conduct**
- ☐ **Prior Notice and Parent (Guardian) Consent**

# SEAC Special Education Advisory Committee

Policy and Compliance Subcommittee

Review, Findings and Recommendations





## SEAC Policy and Compliance Subcommittee Review, Findings and Recommendations

### Review of Findings

The SEAC Policy Subcommittee reviewed the following:

- Policy 5310, Special Education
- Policy 8030, Harassment and Discrimination of Students
- Policy 7560, Professional Conduct
- Prior Notice and Parent (or Guardian) Consent

and determined they do not meet the needs of Special Education students.







# Special Education Draft Policy 5310 Review, Findings and Recommendations

## Overview of Policy 5310:

- Provides general statements of compliance and implementation decisions required by the IDEA or advised by VDOE guidance.
- Current policy 5310 contains a public policy decision to prohibit IEP amendments without an IEP meeting that was agreed to by LCPS staff and SEAC in March 2019.

## **LCPS is currently proposing to allow IEP amendments without a meeting.**

- The SEAC Policy and Compliance Subcommittee reviewed the Student Support and Services (SSS) Committee's draft that was sent to the school board along with two LCPS Staff-proposed drafts.
- The Policy and Compliance Subcommittee performed a new review in light of current information and community concerns.
- LCPS maintains that SEAC's recommended use of IDEA informed parental consent and prior written notice language may obligate LCPS beyond the minimum required by law on equity. The SEAC Policy and Compliance Subcommittee has significant concerns over current practices.





## Special Education Draft Policy 5310 Review, Findings and Recommendations

### Community Concerns:

- SEAC has received reports of IEP amendment documents being created without a meeting, which appears to be a direct violation of the current Policy 5310.
- SEAC has expressed concern that staff actions in the process of consideration of this policy have appeared to be attempts to circumvent a transparent, collaborative public process, SEAC, and the School Board's Student Support and Services Committee.
- SEAC has received many reports that parents are having to provide many and/or all of the supports students with disabilities require to receive an education.
- IEP meetings are not supposed to be burdensome. LCPS administration at the March 2019 SEAC meeting publicly claimed IEP meetings are not burdensome and changes to the IEP should not be made without a meeting to ensure meaningful parental participation.





## Special Education Draft Policy 5310 Review, Findings and Recommendations

### **Recommendation 1:**

**SEAC recommends that the School Board not change the existing Policy 5310 to permit IEP amendments without an IEP meeting.**





## Special Education Draft Policy 5310 Review, Findings and Recommendations

### Rationale:

- The subcommittee reviewed current information and circumstances and found that the existing prohibition is the right public policy for our community.
- This IDEA provision is intended for minor changes. Staff have publicly stated, and staff actions have demonstrated, that their intent is to use it for major changes, such as DL/hybrid/in-person, not for minor ones. Major program changes should result in an IEP meeting and a review to ensure FAPE.
- The subcommittee is concerned that it might not be reasonable to expect that any terms added to this policy by the School Board to protect equity and parents' rights would be followed in good faith.
- Under the current circumstances, with parents directly providing critical supports, educational success requires that parents and the school communicate and collaborate more closely than ever. The staff's proposal is to reduce these at a time when the educationally right policy is to increase them.





## SEAC Recommendations AND voting



### Recommendations

### Voting

- SEAC recommends that the School Board not change the existing Policy 5310 to permit IEP amendments without an IEP meeting.





## Prior Notice and Parent (or Guardian) Consent Review, Findings and Recommendations

### Overview of the Prior Notice and Parent (or Guardian) Consent:

- The worldwide COVID-19 pandemic has highlighted and exacerbated many systemic disability related inequities within LCPS. Special Education students continue to be marginalized. The lack of accessibility, the inability to meet the individual needs of students with disabilities has significantly impacted our special education students, families, and caregivers. SEAC has received many reports of LCPS efforts to severely cut students' educational supports. Parents should not be pressured or requested to waive their rights under the Individuals with Disabilities Education Act (IDEA) or the Section 504. These rights have been put into law to protect students with disabilities because there is a long history of discrimination.
- The current School Board has repeatedly stated their support for educational equity. Recent actions by LCPS staff appear to be opposed to the School Board's position.





## Prior Notice and Parent (or Guardian) Consent Review, Findings and Recommendations

### **Recommendation 1:**

**SEAC finds that the IEP Prior Notice and Parent (or Guardian) Consent statement, the Least Restrictive Environment qualifying statements, and the Temporary Distance Learning Plans, do not meet the needs of student with disabilities.**







## Prior Notice and Parent (or Guardian) Consent Review, Findings and Recommendations

### Rationale:

- Staff actions have lacked transparency, including bypassing the Student Support Services Committee, ignoring SEAC, community input, and public review.
- TDLPs did not meet the needs of our special education students and further damaged trust with the special education community.
- Language was added to IEP Least Restrictive Environment (LRE) page and the Consent page that was not created by the IEP team and not based on the individual needs of the students. Parent concerns and requests to change/remove the language from the proposed IEPs were refused.
- The Prior Notice and Parent (or Guardian) Consent statement appears to be intended to circumvent existing School Board Policy 5310.





## Prior Notice and Parent (or Guardian) Consent Review, Findings and Recommendations

### Recommendation 2:

**SEAC recommends that all such statements be removed with no further attempts to use such statements, and that LCPS follow guidance from Office of Special Education Programs (OSEP), within the U.S. Department of Education and Rehabilitative Services and the Virginia Department of Education (VDOE) on how to address the current circumstances while complying with the IDEA.**





## Prior Notice and Parent (or Guardian) Consent Review, Findings and Recommendations

### Rationale:

- Staff actions have deepened divisions when we need collaboration
- Staff should focus efforts on creative solutions to educate our students with special needs
- SEAC has received reports of school staff delaying parent requests for an IEP meeting
- SEAC has received reports of school staff limiting what can be discussed during IEP meetings about distance learning
- LCPS staff have stated that IEP meetings are not burdensome (March 2019 SEAC)
- IDEA has numerous provisions that provide the needed flexibility for parents and schools to work together during this time.
- IEP teams should be given flexibility to meet individual student needs





## Prior Notice and Parent (or Guardian) Consent Review, Findings and Recommendations

### Recommendation 3:

**SEAC recommends that the LCPS IEP signature page follow the VDOE's Sample IEP Form Prior Notice and Parent Consent.**

#### Rationale:

- The subcommittee also reviewed the language of LCPS's former Parent (or Guardian) Statement on the parent consent page and recommends using the VDOE recommended language.
- The VDOE Prior Notice and Consent language is simple and straightforward, meets IDEA requirements, and is a "safe harbor" for LCPS





## SEAC Recommendations AND voting



### Recommendations

### Voting

- SEAC finds that the IEP Prior Notice and Parent (or Guardian) Consent statement, the Least Restrictive Environment qualifying statements, and the Temporary Distance Learning Plans, do not meet the needs of student with disabilities.
- SEAC recommends that all such statements be removed with no further attempts to use such statements, and that LCPS follow guidance from Office of Special Education Programs (OSEP), with in the U.S. Department of Education and Rehabilitative Services and the Virginia Department of Education (VDOE) on how to address the current circumstances while complying with the IDEA.
- SEAC recommends that the LCPS IEP signature page follow the VDOE's Sample IEP Form Prior Notice and Parent Consent.





## Policy 8030 - Discrimination and Harassment of Students Review, Findings and Recommendations

### Overview of Draft Policy 8030:

- Addresses how school staff will respond to suspected incidents of discrimination or harassment of students.
- Draft Policy 8030 was reviewed by the School Board's Discipline committee.
- The SEAC Chair previously voiced concerns to the School Board Student Support and Services (SSS) Committee that LCPS had developed two separate discrimination policies: one for special education students and one for all other students.
- The SEAC Executive Committee was concerned LCPS was developing segregated and unequal student discrimination policies.
- As a result, LCPS merged the previous draft special education policy on disability discrimination into this draft of Policy 8030 creating section (A).





## Policy 8030 - Discrimination and Harassment of Students Review, Findings and Recommendations

### Recommendation 1:

**Revise the draft policy to replace references to discipline with consequences that require the use of PBIS instead of punishment.**

#### Rationale:

- SEAC and MSAAC have expressed our concern that old-fashioned, punishment-focused disciplinary measures are ineffective and discriminatory.
- The Discipline Task Force recommended the use of PBIS instead, and LCPS publicly claims to be using PBIS. This newly created policy contains no use or mention of PBIS and is instead written as an old-fashioned crime and punishment policy.
- Our non-discrimination policy needs to be non-discriminatory.







## **Policy 8030 - Discrimination and Harassment of Students Review, Findings and Recommendations**

### **Recommendation 2:**

**Revise the draft policy to add an appeal process that:**

- a) is modeled after the process for appeals of short-term suspensions**
- b) is decided prior to the application of any consequence**
- c) includes review by the superintendent's designee, the equity director, and the 504 coordinator (if a disabled student is involved)**
- d) requires that parents/guardians be notified of their appeal rights at the time of the initial decision**





## Policy 8030 - Discrimination and Harassment of Students Review, Findings and Recommendations

### Rationale:

- Our non-discrimination policy needs to be non-discriminatory and just. Perceptions that either are not the case will undermine the policy's intended benefits.
- The recommendations are straightforward due process steps following OCR recommendations.
- The subcommittee had serious concerns with the current short-term suspension appeal process but recommends the use of an existing process instead of creating a new one. Defects in our disciplinary processes are part of a broader discipline reform discussion.
- Personnel who are responsible for equity and 504 compliance for LCPS should be included in the appeal review. Their mandate should be to examine the appeal representing those interests.





## Policy 8030 - Discrimination and Harassment of Students Review, Findings and Recommendations

### Recommendation 3:

**Refer the policy for review by SEAC, MSAAC, and the LCPS PBIS staff, specifically looking for revisions to reduce discriminatory impacts**





## Policy 8030 - Discrimination and Harassment of Students Review, Findings and Recommendations

### Rationale:

- The subcommittee had serious concerns that this policy may worsen existing discrimination and disproportionality.
- This policy has been reviewed by the Discipline committee, and was developed as an old-fashioned, crime and punishment, discipline policy. It does not represent evidence-based practices or years of community feedback on how to reduce disciplinary disproportionality.
- Key stakeholders in non-discrimination have not been given the opportunity to review this policy. If our intent is truly to reduce discrimination, the School Board should insist that all stakeholders be included in this process.





## SEAC Recommendations AND voting



### Recommendations

### Voting

- Revise the draft policy to replace references to discipline with consequences that require the use of PBIS instead of punishment.
- Revise the draft policy to add an appeal process
- Refer the policy for review by SEAC, MSAAC, and the LCPS PBIS staff, specifically looking for revisions to reduce discriminatory impacts





## Policy 7560 - Professional Conduct Review, Findings and Recommendations

### Overview of Draft Policy 7560:

- Draft Policy 7560 addresses unacceptable staff conduct that threatens the operation of our schools.
- This draft was reviewed by the School Board's Human Resources and Talent Development committee, as well as by the Loudoun Education Association.
- Several public commenters at the last School Board meeting expressed concerns with this policy.





## Policy 7560 - Professional Conduct Review, Findings and Recommendations

### Recommendation 1:

**Add language to (A)(1) to include parents and guardians in the list of people that staff are prohibited from bullying**

#### Rationale:

- The current draft prohibits bullying staff or students.
- SEAC has received many reports of staff bullying special education parents and guardians.
- While prohibited by law (retaliation/harassment), the omission of parents and guardians is concerning, and the School Board should make this explicit.





## **Policy 7560 - Professional Conduct Review, Findings and Recommendations**

### **Recommendation 2:**

**Add a new item to the list of unacceptable professional conduct  
(A):**

**9. Falsification of school records, documents, statistics, or reports**







## Policy 7560 - Professional Conduct Review, Findings and Recommendations

### Rationale:

- Falsifying records or documents goes beyond dishonesty and is often part of a fraud and/or cover-up.
- SEAC has received reports of staff falsifying records and documents in order to defraud parents and other staff, and/or to cover up wrongdoing from parents, regulators, and the School Board.
- The Policy and Compliance Subcommittee was concerned that list of unacceptable professional conduct needs to address professional integrity such as dishonesty, fraud, and falsification
- This is already grounds for license revocation; directly quoted from 8VAC20-23-720(A)(2).





## SEAC Recommendations AND voting



### Recommendations

### Voting

- Add language to (A)(1) to add parents and guardians to the list of people that staff are prohibited from bullying
- Add to the list in (A) a new item:  
9. Falsification of school records, documents, statistics, or reports



Thank you!

